

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

SCOTT THOMAS JESSIE

PETITIONER

v.

CIVIL ACTION NO. 1:20-cv-227-TBM-RPM

BOBBY FAIRLEY

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on submission of the Report and Recommendation [15] entered by United States Magistrate Judge Robert P. Myers, Jr. on May 18, 2021. After considering the record and applicable law, Judge Myers recommends that the Respondent's Motion to Dismiss [10] should be granted and the Petition for Writ of Habeas Corpus [1] be dismissed with prejudice. Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

“When a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error.” *Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010) (citing *Douglas v. United Serv. Auto Ass’n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Myers’ Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that Report and Recommendation [15] entered by United States Magistrate Judge Robert P. Myers, Jr. on May 18, 2021 is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Respondent's Motion to Dismiss [10] is GRANTED.

IT IS FURTHER ORDERED AND ADJUDGED the Petition for Writ of Habeas Corpus [1] is DISMISSED WITH PREJUDICE.

THIS, the 22nd day of July, 2021.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE